

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT KELLET,

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of the
Social Security Administration,

Defendant.

CIVIL ACTION
NO. 18-3251

ORDER

AND NOW, this 27th day of December, 2019, upon careful consideration of Plaintiff Robert Kellet's Motion for Summary Judgment and Request for Review and his brief in support thereof (ECF No. 9). Social Security Commissioner Andrew M. Saul's Response¹ (ECF No. 10) and the Report and Recommendation filed by United States Magistrate Judge Henry S. Perkin, (ECF No. 12), and it appearing that neither Plaintiff nor the Commissioner have objected to the report,² it is **ORDERED** that:

1. the Report and Recommendation is **APPROVED** and **ADOPTED**³;
2. Plaintiff's request for review is **DENIED**;

¹ Andrew M. Saul became the Commissioner of the Social Security Administration on June 4, 2019. He is substituted as the Defendant in this action pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

² The Report and Recommendation was sent to all parties of record on October 1, 2019, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. See Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof."). As of today's date, however, no objections have been filed.

³ When no objection is made to a Report and Recommendation, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes; *see also Oldrati v. Apfel*, 33 F. Supp. 2d 397, 399 (E.D. Pa. 1998). No clear error appears on the face of the record and the Court accordingly accepts Judge Perkin's Recommendation.

3. the Commissioner of the Social Security Administration's decision is
AFFIRMED; and

4. the Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.